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DATE OF DEPOSIT: February 27, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Brian Keyner
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ian KIMBER, *et al.*

Appl. No.: 09/058,589

Filed: April 10, 1998

For: **LACTOFERRIN S REGULATOR OF
ALLERGEN-INDUCED TUMOR
NECROSIS FACTOR- PRODUCTION
AND THERAPEUTIC APPLICATIONS**



Art Unit: 1617

Examiner: Wang, S.

Atty. Docket: 01380041US01

EFS No.: 7637

#18
GUPP
38-01

**Notice of Appeal From the Examiner to the Board
of Patent Appeals and Interferences - Small Entity**

BOX AF

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated **December 4, 2001** that resulted in Applicant having claims that have been twice or finally rejected.

The fee (for a qualified small entity) for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 1.17(b)), along with any necessary extension fees (37 C.F.R. § 1.17(a)), is included in our check. In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

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Commissioner for Patents
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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing docket number 01380041US01. A duplicate copy of this Notice is attached.

Respectfully submitted,

Date: February 27, 2001



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